IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO 6613 OF 2005
IN
CRIMINAL APPEAL NO.876 OF 2003

Nitin Shrikant Shetye ..Applicant./
Appellant

Vs.

State of Maharashtra ..Respondent.

Mr. S.V. Marwadi for the applicant.
Mr. S.S. Pednekar, A.P.P. for the State

CORAM : SMT. RANJANA P. DESAI &
ANOOP V.MOHTA JJ.

DATE : 11TH OCTOBERE, 2005.

P.C.

. The applicant is original accused 2 in Sessions Case No. 35/2003. The applicant along with others was charged for the offences punishable under sections 120B r/w Section 34 and Section 302 r/w Section 34 of Indian Penal Code for having hatched conspiracy to kill Mahesh Ramesh Redij, resident of Lanja and for having committed his murder on 9/5/2005 at 3.00 p.m. near Phanas stop at Lanja.

2. We have heard the learned Counsel, Mr. Marwadi for the appellant, as well as the learned A.P.P., Mr.

Pednekar for the State. The learned Counsel for the appellant drawn our attention to the order dated 29th September, 2005, passed by this Court, whereby accused 1 has been released on bail. Admittedly the appellant has been acquitted of the charge of conspiracy. The case of the present applicant stands on a better footing than that of accused 1. There is no recovery of any weapon of assault at the instance of the present appellant. In the circumstances, we think it is a fit case to release him on bail. Hence, the following order.

. Applcant, Nitin Shrikant Shetye is ordered to be released on bail in the sum of Rs. 30,000/- with one surety on a condition that he shall report to the concerned police station once in three months. Application is disposed of.

(SMT. RANJANA P.DESAI, J)

[ANOOP V. MOHTA, J.]